

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO: 12364 of 2005**

Between:

A.Satya Srinivasa Rao, S/o.Appa Rao,  
R/o.Annavaram, E.G.District.

**..... PETITIONER**

AND

1 The Commissioner, Endowments Department, Tilak Road, Abids,

Hyderabad.

2 Sri V.V.Satyanarayana Swamy, Vari Devastanam rep.by its Executive

Officer, and Regional Joint Commissiner, A.Annavaram E.G.Dist.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in not converting the petitioner post from wireman to junior assistant as illegal, arbitrary and violative of Art.14 of the Constitution of India and consequently direct the 2nd respondent to convert the petitioner from the post of wireman to junior assistant on medical ground forthwith.

**Counsel for the Petitioner: MR.V.V.N.NARAYANA RAO**

**Counsel for the Respondent No.1: GP FOR ENDOWMENTS**

**Counsel for the Respondent No.2:MS.N.INDRANI**

**The Court at the stage of admission made the following:**

**ORDER:**

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This is a writ petition filed by the petitioner seeking a writ of Mandamus declaring the action of the second respondent in not converting the petitioner's post from Wireman to Junior Assistant as illegal, arbitrary and violative of the provisions of the Constitution of India, and consequently, direct the second respondent to convert the post of the petitioner from Wireman to Junior Assistant on medical grounds.

2. It is stated that the petitioner was appointed in the year 1988 as N.M.R in the Electrical Department of the second respondent. Thereafter, he was regularized in the year 1993. Further, the second respondent promoted the petitioner in the year 1998 as a Wireman. However, it is stated that subsequently, the petitioner met with an accident while discharging his duties as Wireman and suffered a fracture to the leg. Therefore, the Doctors advised the petitioner not to climb the electrical poles. Therefore, the petitioner made a representation to the second respondent-institution. Upon consideration, he was absorbed into the existing vacancy of Junior Assistant with usual benefits of the scale of pay of the Junior Assistant in the year 2000. However, subsequently, as there was a change in the incumbent of the second respondent Executive Officer, the petitioner was reverted to the post of Wireman. Hence, the present writ petition.

3. At the time of hearing, when the learned counsel for the petitioner was asked whether there are any specific Rules permitting the Executive Officer to convert the petitioner from the post of Wireman to the post of Junior Assistant, he was not able to answer, which shows that there are no specific Rules. However, the grievance of the petitioner is that as the petitioner is not in a position to discharge the duties as Wireman, he may be considered for any

other alternative post. In fact, it is stated that the petitioner made a representation in March, 2001 and also subsequently. However, the grievance of the petitioner is that the Executive Officer of the second respondent did not consider the said representation for providing alternative employment other than the Wireman, the post which the petitioner is now holding, in view of his inability to discharge the duties of Wireman.

4 . Therefore, the writ petition is disposed of directing the second respondent to consider the representation of the petitioner and dispose of the same in accordance with law expeditiously, preferably, within a period of eight weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

14<sup>th</sup> June, 2005

**Note:**

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Furnish C.C. within one week.

B/o.

SKM

To

1 The Commissioner, Endowments Department, Tilak Road, Abids,  
Hyderabad.

2 The Executive Officer, and Regional Joint Commissioner, Sri

V.V.Satyanarayana Swamy, Vari Devastanam A.Annavaram E.G.Dist.

3 Two C.Cs. to G.P. for Endowments,

High Court Buildings, High Court of A.P., Hyderabad (OUT)

4 2 CD copies

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